

SENATE BILL 1016

By Gardenhire

AN ACT to amend Tennessee Code Annotated, Title 4,
Chapter 29, Part 2 and Title 38, Chapter 7, Part 2,
relative to the medical examiner advisory council.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 4-29-237(a), is amended by deleting subdivision (53).

SECTION 2. Tennessee Code Annotated, Section 4-29-239(a), is amended by inserting the following language as a new subdivision:

() Tennessee state medical examiner advisory council, created by § 38-7-201;

SECTION 3. Tennessee Code Annotated, Section 38-7-201, is amended by deleting the section and substituting instead the following:

(a)

(1) There is created the Tennessee state medical examiner advisory council, referred to in this section as the "council."

(2)

(A) The council shall consist of twenty one (21) members, each of whom shall be a resident of this state.

(B) The governor shall appoint members to the council as follows:

(i) Two (2) members from each regional forensic center, one (1) of whom must be a forensic pathologist and one (1) of whom must be a medicolegal death investigator or administrator, to be selected from a list of nominees submitted by the regional chief medical examiner;

(ii) Three (3) county medical examiners who are not forensic pathologists and are not employees of the department of health;

(iii) One (1) representative from the Tennessee bureau of investigation;

(iv) One (1) representative from the district attorneys conference;

(v) One (1) district public defender;

(vi) One (1) representative from the Tennessee association of chiefs of police;

(vii) One (1) representative from the Tennessee sheriffs' association;

(viii) One (1) representative from the mayors' conference;
and

(ix) One (1) licensed funeral director.

(C) The state chief medical examiner shall serve as an ex officio, voting member of the council.

(D) The initial terms under subdivision (a)(2)(B) shall commence on July 1, 2017, and shall be staggered in length from one (1) to three (3) years in a manner to be determined by the governor. All subsequent appointments shall be for terms of three (3) years. All terms shall end on June 30. If an appointee's membership on the council terminates prior to the expiration of that member's term, the governor shall appoint a replacement member to complete the unexpired term. Each member shall serve until a successor is appointed.

(E) The state chief medical examiner shall call the first meeting of the council, at which meeting the council will elect a chair.

(F) A majority of the council's membership constitutes a quorum.

A simple majority vote of the council's membership will be required for council action.

(G) Council members are eligible for reappointment an unlimited number of times.

(b) The office of state chief medical examiner is responsible for providing administrative support to the state medical examiner advisory council.

(c) Each member of the council shall receive reimbursement for travel expenses in accordance with the comprehensive travel regulations promulgated by the department of finance and administration and approved by the attorney general and reporter.

(d) The council must meet at least twice a year and may hold additional meetings.

(e) The council must:

(1) Review candidates and make a recommendation to the commissioner of health on the appointment of the state chief medical examiner and deputy state chief medical examiner;

(2) Assist the state chief medical examiner in the development and updating of standards for death investigations;

(3) Review and approve any standard, rule, or legislative proposal concerning medical examiner operations or practices prior to the adoption or proposal to the general assembly of any such any standard, rule, or legislative proposal by the department of health or the office of state chief medical examiner;

(4) Review and amend, as needed, an annual report on death investigations in this state, prepared by the department of health and the office of the state chief medical examiner; and

(5) Provide reports and recommendations to the commissioner on causes of death that may need public health intervention, funding issues, information technology needs, and other issues.

(f) In the event of disputes arising from fatality review boards, the council may review such cases and make recommendations for the resolution of such disputes.

SECTION 4. This act shall take effect July 1, 2017, the public welfare requiring it.